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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 11-00309-LHK
)	
12 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER CONTINUING HEARING DATE
13 vs.)	AND EXCLUDING TIME UNDER THE
)	SPEEDY TRIAL ACT
14 FAUZIA LODHI,)	
)	
15 Defendant.)	
)	

16
17 **STIPULATION**

18 Defendant Fauzia Lodhi, by and through Assistant Federal Public Defender Varell L.
19 Fuller, and the United States, by and through Assistant United States Attorneys Matthew A.
20 Parella and Daniel Kaleba, hereby stipulate that, with the Court's approval, the status hearing
21 currently set for Wednesday, November 16, 2011, at 10:00 a.m., shall be continued to
22 Wednesday, January 18, 2012, at 10:00 a.m.

23 The reason for the requested continuance is defense counsel requires additional time to
24 review and organize the 8,918 pages of printed discovery received to date. The discovery
25 provided to date includes, but is not limited to, hours of video depositions of Ms. Lodhi,
26 voluminous financial and State Farm Insurance claim records, numerous witness interviews, and

1 forensic arson investigation reports that pertain to counts thirteen and fourteen of the indictment.
2 Based on the volume of discovery provided, defense counsel's on-going review of those
3 materials, the complexity of the issues with respect to the charged offenses, and defense
4 counsel's on-going investigation, the defense request additional time to effectively prepare. The
5 defense therefore respectfully requests a continuance of the status hearing date set in this matter
6 to January 18, 2012.

7 The parties agree that the time between November 16, 2011, and January 18, 2012, may
8 be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective
9 preparation by both counsel.

10
11 Dated: November 9, 2011

_____/s/_____
12 VARELL L. FULLER
13 Assistant Federal Public Defender

14 Dated: November 9, 2011

_____/s/_____
15 MATTHEW A. PARELLA
16 Assistant United States Attorney

_____/s/_____
17 DANIEL KALEBA
18 Assistant United States Attorney

19
20 ~~[PROPOSED]~~ ORDER

21 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
22 ORDERED that the hearing currently set for Wednesday, November 16, 2011, shall be
23 continued to Wednesday, January 18, 2012, at 10:00 a.m.

24 THE COURT FINDS that failing to exclude the time between November 16, 2011, and
25 January 18, 2012, would unreasonably deny counsel for the defendant reasonable time necessary
26 for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. §§

1 3161(h)(7)(B)(iv).

2 THE COURT FINDS that the ends of justice served by excluding the time between
3 November 16, 2011, and January 18, 2012, from computation under the Speedy Trial Act
4 outweigh the interests of the public and the defendant in a speedy trial.

5 THEREFORE, IT IS HEREBY ORDERED that the time between November 16, 2011,
6 and January 18, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C.
7 § 3161(h)(7)(A) and (B)(iv).

8 IT IS SO ORDERED.

9 Dated: 11/9/11


THE HONORABLE LUCY H. KOH
United States District Judge